

JS 44 (Rev. 02/19)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

CHARLES BECK, individ. and as Administrator or ESTATE OF SHIRLEY LEIBENGUTH, deceased

(b) County of Residence of First Listed Plaintiff Lehigh County

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

James J. McEldrew, III, Esq., Daniel Purtell, Esq., John Coyle, Esq.
McEldrew Young, 123 S Broad St., #2250, Phila, PA 19109
215-545-8800

DEFENDANTS

LEHIGH COUNTY, et al.

County of Residence of First Listed Defendant Lehigh County

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Unknown.

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|----------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input checked="" type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 U.S.C. 1983

Brief description of cause:

Civil rights violation - nursing home

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$
5,000,000.00

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE
07/03/2019

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

19

2909

DESIGNATION FORM*(to be used by counsel or pro se plaintiff to indicate the category of the case for the purpose of assignment to the appropriate calendar)*Address of Plaintiff: Charles Beck, 930 East Lexington Street, Allentown, PA 18103Address of Defendant: Lehigh County, 17 S. 7th St, Lehigh County PA 18101 and Cedarbrook Sr. Care & Rehab aka Cedar Brook Nursing Homes, 350 S. Cedarbrook Rd, Allentown, PA 18104Place of Accident, Incident or Transaction: Cedarbrook Senior Care and Rehabilitation**RELATED CASE, IF ANY:**Case Number: _____ Judge: AK Date Terminated: _____Civil cases are deemed related when **Yes** is answered to any of the following questions:

- | | | |
|--|------------------------------|--|
| 1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

I certify that, to my knowledge, the within case ☐ is / ☒ is not related to any case now pending or within one year previously terminated action in this court except as noted above.DATE: 7/03/2019 [Signature] 36411
Attorney-at-Law / Pro Se Plaintiff Attorney I.D. # (if applicable)**CIVIL: (Place a ✓ in one category only)****A. Federal Question Cases:**

- ☐ 1. Indemnity Contract, Marine Contract, and All Other Contracts
- ☐ 2. FELA
- ☐ 3. Jones Act-Personal Injury
- ☒ 4. Antitrust
- ☐ 5. Patent
- ☐ 6. Labor-Management Relations
- ☒ 7. Civil Rights
- ☐ 8. Habeas Corpus
- ☐ 9. Securities Act(s) Cases
- ☐ 10. Social Security Review Cases
- ☐ 11. All other Federal Question Cases
(Please specify): _____

B. Diversity Jurisdiction Cases:

- ☐ 1. Insurance Contract and Other Contracts
- ☐ 2. Airplane Personal Injury
- ☐ 3. Assault, Defamation
- ☐ 4. Marine Personal Injury
- ☐ 5. Motor Vehicle Personal Injury
- ☐ 6. Other Personal Injury (Please specify): _____
- ☐ 7. Products Liability
- ☐ 8. Products Liability – Asbestos
- ☐ 9. All other Diversity Cases
(Please specify): _____

ARBITRATION CERTIFICATION*(The effect of this certification is to remove the case from eligibility for arbitration.)*I, James J. McEldrew, III, Esq., counsel of record or pro se plaintiff, do hereby certify:☒ Pursuant to Local Civil Rule 53.2, § 3(c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs:☐ Relief other than monetary damages is sought.DATE: 07/03/2019 [Signature] 36411
Attorney-at-Law / Pro Se Plaintiff Attorney I.D. # (if applicable)

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

CHARLES BECK, individ. and as Admin. of
ESTATE OF SHIRLEY LEIBENGUTH, deceased

V.

LEHIGH COUNTY, et al.

:
:
:
:
:

CIVIL ACTION

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (x)

7/03/2019

James J. McEldrew, III, Esq.

Plaintiff

Date

Attorney-at-law

Attorney for

215-545-8800

215-545-8805

jim@mcel drewlaw.com

Telephone

FAX Number

E-Mail Address

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHARLES BECK, Individually and as Administrator
of the Estate of SHIRLEY LIEBENGUTH,

Plaintiff,

v.

LEHIGH COUNTY, as owner and operator of
CEDARBROOK SENIOR CARE AND
REHABILITATION a/k/a Cedar Brook Nursing
Homes a skilled nursing facility

GOOD SHEPERD REHABILITATION
NETWORK d/b/a GS Lehigh a/k/a The Good
Shepherd Home a/k/a Good Shepherd Home
Foundation

LW CONSULTING, INC.

JOHN DOE COMPANIES (1-10) (fictitious
designation representing the as yet unknown
individual(s), partnerships, corporations, and/or other
business entities, individually, jointly, severally
and/or in the alternative affiliated or connected in any
way with Plaintiff's care and/or otherwise responsible
for Plaintiff's injuries and

Defendants.

Civ. No.:

PLAINTIFF'S COMPLAINT

AND NOW, comes the Plaintiff, Charles Beck, Individually and as Administrator of the Estate of Shirley Liebenguth, by and through his undersigned counsel, Jim McEldrew, Esquire, Daniel Purtell, Esquire; John L. Coyle, Esquire; and the law firm of McEldrew Young., and files this Complaint against Defendant Lehigh County, as owner and operator of Cedarbrook Senior Care and Rehabilitation a/k/a Cedar Brook Nursing Homes, a skilled nursing facility, and Defendant Good Shepherd Rehabilitation Network d/b/a GS Lehigh a/k/a The Good Shepherd

Home a/k/a Good Shepherd Home Foundation and/or Defendant, LW Consulting, Inc. for unlawful deprivations of Plaintiff's federal rights guaranteed by the Omnibus Budget Reconciliation Act of 1987 ("OBRA"); the Federal Nursing Home Reform Act ("FNHRA"); 42 U.S.C. § 1396r, *et al.*; the implementing regulations found at 42 C.F.R. § 483, *et al.*, enforceable under 42 U.S.C. § 1983, and negligence and in support thereof, avers as follows:

JURISDICTION AND VENUE

1. This instant case asserts wrongful death and survival actions pursuant to 42 U.S.C. § 1983 to remedy deprivation of rights guaranteed by the Omnibus Budget Reconciliation Act 1987, the Federal Nursing Home Reform Act; and the Federal Nursing Home Regulations, as found at 42 C.F.R. §483.

2. As the instant case presents issues of federal law, jurisdiction is proper in this forum as a federal question, pursuant to 28 U.S.C § 1331.

3. As the Court has original jurisdiction over Plaintiff's Section 1983 claim pursuant to 28 U.S.C. §1367, the Court has supplemental jurisdiction over Plaintiff's state law claims as they are so related to the claims in this action that fall within the Court's original jurisdiction that they form part of the same case or controversy under Article III of the United States Constitution.

4. Venue lies within this judicial district, since all of the actions complained of herein occurred within the Western District of Pennsylvania.

JURY DEMAND

5. Plaintiff, Charles Beck, individually and as administrator of the Estate of Shirley Liebenguth, deceased, demands a trial by jury.

PARTIES

6. Plaintiff, Charles Beck, is an adult individual who resides at 930 East Lexington Street, Allentown, PA 18103.

7. Charles Beck is the brother of Shirley Liebenguth.

8. Charles Beck was appointed the Administrator of the Estate of Shirley A. Liebenguth, file number 2019-1141, on June 21, 2019 by the Register of Wills of Lehigh County.

9. Charles Beck brings this action as the personal representative of decedent, Shirley Liebenguth, on his own behalf and on behalf of all those entitled by law to recover damages for the wrongful death of decedent Shirley Liebenguth.

10. The only wrongful death beneficiaries entitled to recover wrongful death damages for the death of Shirley Liebenguth are as follows:

- a. Charles Beck, brother – listed above.
- b. Thomas Beck, brother – 1607 Tweed Ave., Allentown PA 18103.

11. Defendant Lehigh County, Pennsylvania, is a governmental agency with its government offices located at 17 South 7th Street, Lehigh County, Pennsylvania, 18101.

12. Cedarbrook, Senior Care and Rehabilitation, a/k/a Cedar Brook Nursing Homes (“Cedarbrook”) is a skilled nursing facility with its principal place of business located at 350 South Cedarbrook Road, Allentown, PA 18104.

13. Defendant, Lehigh County owns and operates greater than five percent (5%) of

Cedarbrook.

14. As such, at all times relevant hereto, Cedarbrook is a governmental agency acting under the color of state law.

15. At all times relevant hereto, Cedarbrook operated as a “long term care nursing facility” as that term is defined in 35 P.S. §448.802A.

16. Accordingly, Cedarbrook is a “licensed professional” as that term is defined in 40 P.S. § 1303.503.

17. At all times relevant hereto, Cedarbrook operated as a “skilled nursing facility” as that term is defined in 42 U.S.C. §1395i-3.

18. At the time of the incidents pled herein, Cedarbrook was acting under the control of Lehigh County, and was acting by and through its authorized agents, servants and employees then and there acting within the course and scope of their employment.

19. At all times relevant hereto, Plaintiff was a recipient of Medicare benefits pursuant to 42 U.S.C.A. §1395, *et seq.*

20. Defendant, Good Shepherd Rehabilitation Network, d/b/a GS Lehigh, a/k/a The Good Shepherd Home, a/k/a Good Shepherd Home Foundation, (“Good Shepherd”) is a skilled nursing facility management company with its principal place of business located at 850 South Fifth Street, Allentown, PA 18101.

21. Defendant, LW Consulting, Inc., (“LW Consulting”) is a skilled nursing facility management company with its principal place of business located at 5925 Stevenson Ave 2nd, Harrisburg, PA 17112.

22. At all times relevant hereto, Good Shepherd and/or LW Consulting contracted with Cedarbrook to manage and/or provide management services to Cedarbrook.

23. Defendant, John Doe Companies and Partnerships (1-10), fictitious names, the real names being unknown, providing management, nursing, professional and/or staffing services to Defendant, Cedarbrook, Good Shepherd and/or LW Consulting.

STATEMENT OF CLAIMS

24. At all times relevant hereto, Cedarbrook operated as a “skilled nursing facility” as that term is defined in 42 U.S.C. §1395i-3.

25. At all times relevant hereto, Cedarbrook, held itself out as a professional in the field of adult nursing care, with the expertise necessary to maintain the health and safety of residents such as Shirley Leibenguth.

26. At all times relevant hereto, Cedarbrook, promoted the fact that “Cedarbrook is a skilled nursing and rehabilitation facility that meets federal criteria for Medicaid and Medicare reimbursement for nursing care.”

27. At all times relevant hereto, Cedarbrook was acting independently and by and through its authorized agents, servants and employees then and there acting within the course and scope of their employment.

28. Plaintiff’s Counsel requested the nursing chart for Shirley Liebenguth for over eight (8) months – only to receive a partial chart that is missing crucial records.

29. As of the date of this pleading Defendant’s have only provided the medical chart for the limited period of June and July of 2017. The records from this limited time period omit critical records. It is alleged that the complete medical chart would contain additional relevant information and evidence of Defendants’ individual and/or collective negligence. Defendants failure to provide a full medical chart continue to prejudice Plaintiff’s Counsel’s ability to evaluate

and plead the present claims.

30. The June 15, 2017 PT Evaluation & Plan of Treatment documents the following:

- a. Total dependence with transfers.
- b. Assistance with basic mobility in bed.
- c. Total dependence with sit to stand, toilet transfer and/or chair to bed transfer.

31. The July 2017 Order Summary report documents an order for mechanical lift with transfers.

32. Within the July 2017 Treatment Administration Record (TAR) Ms. Lienbenguth was noted to have “difficulty walking” and morbid obesity.

33. It appears that on July 5, 2017 all documented care was provided by Laurie Kovalchick, LPN.

34. The previous MDS documentation was not provided by Defendant so Plaintiff's Counsel is unable to provide a comparison to previous similar documentation – it is alleged that when the necessary documentation is obtained it will contain additional evidence of the Defendants culpability.

35. At 0600 hours on July 5, 2017 it was noted that while a CNA was attempting to change, transfer, adjust and/or otherwise move Shirley, without sufficient care, assistance and/or training, Shirley was dropped to the floor striking her face and knees.

36. It is alleged that this fall occurred due to the CNA's lack of training, instruction, supervision and/or the failure to provide assistance by the individual and/or collective Defendants.

37. Shirley was noted to have an injury to her nose and complaints of bilateral knee

pain.

38. As a result, Shirley was transported to St. Luke Hospital via Cetronia Ambulance.

39. Upon admission to St. Luke's at 0636 hours, it was noted Ms. Liebenguth "rolled out of bed while she was being changed."

40. While at St. Luke's Shirley was diagnosed with bilateral femur fractures, suffered cardiac arrest, went into code, and required intubation before regaining spontaneous circulation.

41. After the initial code, Shirley was awake, responding to verbal commands and able to open her eyes.

42. Thereafter Ms. Liebenguth coded and was resuscitated on numerous occasions, in the presence of her family, before she was pronounced at 1605 hours.

43. The death certificate lists complications of bilateral femur fracture as the cause of death.

44. The July 5, 2017 MDS – presumably performed after Shirley was discharge to St. Luke's - documented Ms. Liebenguth to be 64 inches tall and weigh 277 pounds and suffer from diabetic neuropathy.

45. Additionally, the same MDS documented Shirley to require "extensive assistance" consisting of "staff providing weight-bearing support" for all activity.

46. Additionally, it was documented that Shirley exhibited "total dependence" for any "transfer".

47. Finally, the MDS identifies that Shirley suffered a fall with major injury.

48. The July 5, 2017 MDS was completed by Cindy Ruhf, RN, BSN, RNAC.

49. As a result of the substandard care received by Ms. Liebenguth from Cedarbrook Good Shepherd and/or LW Consulting, as well as their individual and/or collective employees,

agents, staff and/or ostensible agents, Ms. Liebenguth sustained a bilateral femur fractures, associated pain and suffering, numerous code events with resuscitation, intubation and ultimately death.

50. Cedarbrook, Good Shepherd and/or LW Consulting, as well as their individual and/or collective employees, agents, staff and/or ostensible agents, had a duty to ensure that all persons providing care within Cedarbrook's facility were competent, adequately trained, adequately supervised and adequately assisted to provide that care.

51. At all times material hereto, Cedarbrook, Good Shepherd and/or LW Consulting, as well as their individual and/or collective employees, agents, staff and/or ostensible agents, owed a duty to protect residents such as Ms. Liebenguth, against the hazards he encountered and the harm he suffered while residing at Cedarbrook's facility.

52. Cedarbrook, Good Shepherd and/or LW Consulting, as well as their individual and/or collective employees, agents, staff and/or ostensible agents, had a duty to formulate and enforce adequate rules and policies to ensure quality care for residents such as Ms. Liebenguth.

ALLEGATIONS AS TO INSUFFICIENT STAFFING

53. As published on Cedarbrook's website, they are a Medicare facility that is required to comply with federal standards, including but not limited to, setting and maintaining staffing levels to the aggregate acuity level of the patients within their facility.

54. Throughout Ms. Liebenguth's stay at Defendants' Facility, Defendants intentionally and grossly understaffed the Facility, and the understaffing caused a significant decrease in care that should have been provided by defendants to Ms. Liebenguth and lead to her injuries in this case.

55. Nursing facilities, like Cedarbrook, are required to submit Medicare annual reports that identify, among other things, the patient census and the hours of respective clinical staff

56. By dividing the clinical hours worked by the patient census it is possible to determine how many hours the nursing facility paid for each category of direct caregivers per resident per day for the time period covered by that particular cost report.

57. This number is referred to as the "HPPD".

58. According to CMS expectations, during the 24-month period leading up to and preceding Ms. Liebenguth's passing, Defendants failed to provide the level of staffing necessary to meet the needs of their residents.

59. During 2015 Cedarbrook understaffed their RN's an average of 30% and their CNA's an average of 22% - resulting in a net savings of \$2,472,083.

60. During 2016 Cedarbrook again understaffed their RN's an average of 30% and their CNA's an average of 22% - resulting in a net savings of \$2,663,257.

61. During 2017 Cedarbrook understaffed their RN's an average of 32% and their CNA's an average of 14% - resulting in a net savings of \$2,912,156.

62. However, once more accurate staffing information is made available to Plaintiff the above intentional staffing shortfalls and the associated savings will likely increase.

63. Plaintiff alleges that Cedarbrook, Good Shepherd and/or LW Consulting, jointly and/or separately, exercised control over the operation and management of Defendants' Facility prior to and during Ms. Liebenguth's period of residency therein, including but not limited to, the creation, setting, funding and/or implementation of budgets; the monitoring of resident acuity levels; the monitoring of staffing levels; control over resident admissions and

discharges; and control over the number of hours of direct care provided to the residents of Defendants' Facility by RNs, LVNs, and CNAs.

64. Plaintiff alleges that each of these managerial and operational functions were intentional and had a direct impact on the amount and quality of care delivered to Ms. Liebenguth and were taken in furtherance of operational and managerial objectives.

65. Plaintiff alleges that Cedarbrook, Good Shepherd and/or LW Consulting engaged in a systematic process of ensuring Cedarbrook maintained the highest acuity levels possible while failing to provide sufficient and qualified staff to meet the individual needs of their residents during Ms. Liebenguth's period of residency therein.

66. Plaintiff alleges that this understaffing, although profitable for Cedarbrook, Good Shepherd and/or LW Consulting, directly resulted in their failure to provide the necessary and basic services Ms. Liebenguth needed in order to prevent the fall that caused her death.

67. Such understaffing created a perfect formula for not having proper assessments, supervision, monitoring, training, assistance and implementation of necessary medical and/or nursing treatment that would have prevented Ms. Liebenguth's horrific and untimely passing.

**COUNT I: DEPRIVATION OF CIVIL RIGHTS ENFORCEABLE VIA 42 U.S.C. § 1983
SURVIVAL ACTION**

**PLAINTIFF VS. DEFENDANT ALLEGHENY COUNTY d/b/a CEDARBROOK
SENIOR CARE AND REHABILITATION d/b/a CEDARBROOK NURSING HOME**

68. All of the preceding paragraphs of the within Complaint are incorporated herein as if set forth more fully at length.

69. Cedarbrook is an agent of the Commonwealth of Pennsylvania, and at all times relevant to this Complaint was acting under the color of state law.

70. Cedarbrook is bound generally by the Omnibus Budget Reconciliation Act of 1987 (“OBRA”) and the Federal Nursing Home Reform Act (“FNHRA”) which was contained within the Omnibus Reconciliation Act of 1987. See 42 U.S.C. § 1396r, 42 U.S.C. § 1396(a)(w), as incorporated by 42 U.S.C. § 1396r.

71. Cedarbrook is also bound generally by OBRA/FNHRA implementing regulations found at 42 C.F.R. § 483, *et seq.*, which served to define specific statutory rights set forth in the above-mentioned statutes.

72. The specific detailed regulatory provisions, as well as the statutes in question, create rights which are enforceable pursuant to 42 U.S.C. § 1983, as the language of these regulations and statutory provisions clearly and unambiguously creates those rights.

73. Upon information and belief, Cedarbrook, as a custom and policy, failed to adhere to the above statutes and regulations and/or, in the alternative, that Cedarbrook failed to implement and follow appropriate custom and policies and/or, in the alternative, that Cedarbrook had unwritten customs and policies that did not adhere to the applicable statutes and regulations.

74. Cedarbrook, in derogation of the above statutes and regulations, and as a custom and policy, failed to comply with the aforementioned regulations, as follows:

- a. By failing, as a custom and policy, to promote the care of residents, including Ms. Liebenguth, in a manner and in an environment that maintained or enhanced her dignity, as required by 42 C.F.R. § 483.15 and 42 U.S.C. § 1396r(b)(1)(A);
- b. By failing, as a custom and policy, to develop a comprehensive Care Plan and assessment for residents,

including Ms. Liebenguth, as required by 42 C.F.R. § 483.20 and 42 U.S.C. § 1396r(b)(2)(A);

- c. By failing, as a custom and policy, to provide residents, including Ms. Liebenguth, the necessary care and services to allow him to attain or maintain the highest practicable physical, mental and psycho-social wellbeing, as required by 42 C.F.R. § 483.25 and 42 U.S.C. § 1396r(b)(3)(A);
- d. By failing, as a custom and policy, to provide residents, including Ms. Liebenguth, the necessary care and services to preclude them from experiencing a reduction in range of motion and/or providing appropriate treatment and services to increase range of motion, as required by 42 C.F.R. § 483.25(e) and 42 U.S.C. § 1396r(b)(3)(A);
- e. By failing, as a custom and policy, to periodically review and revise a patient's or resident's written Plan of Care, including Ms. Liebenguth, by an interdisciplinary team after each of the resident's or patient's assessments, as described by 42 U.S.C. § 1396r(b)(3)(A), as required by 42 U.S.C. § 1396r(b)(2)(C);
- f. By failing, as a custom and policy, to conduct an assessment of a patient or resident, including Ms. Liebenguth, as required by 42 U.S.C. § 1396r(b)(3)(A), promptly after a significant change in the resident's physical or mental condition, as required by 42 U.S.C. § 1396r(b)(3)(C)(i)(ii);
- g. By failing, as a custom and policy, to use the results of the assessments required as described above in developing, reviewing and revising Ms. Liebenguth's Plan of Care, as required by 42 U.S.C. § 1396r(b)(3)(D);
- h. By failing, as a custom and policy, to ensure that patients or residents, including Ms. Liebenguth, were provided medically related social services to attain or maintain the highest practicable physical, mental and psycho-social wellbeing, as required by 42 C.F.R. § 483.25 and 42 U.S.C. § 1396r(b)(4)(ii);
- i. By failing, as a custom and policy, to ensure that an ongoing program, directed by a qualified professional, of activities designed to meet the interests and the physical, mental and psycho-social wellbeing of each resident or patient,

including Ms. Liebenguth, was implemented, as required by 42 C.F.R. § 483.25 and 42 U.S.C. § 1396r(b)(4)(A)(v);

- j. By failing, as a custom and policy, to ensure that the personnel responsible for the care of residents was properly certified and/or re-certified as being qualified to perform necessary nursing services, as required by 42 U.S.C. § 1396r(b)(4)(B);
- k. By failing, as a custom and policy, to provide sufficient nursing staff to provide nursing and related services that would allow patients or residents, including Ms. Liebenguth, to attain or maintain the highest practicable physical, mental and psycho-social well-being, as required by 42 C.F.R. § 483.30 and 42 U.S.C. § 1396r(b)(4)(C);
- l. By failing, as a custom and policy, to maintain clinical records on all residents, including Ms. Liebenguth, including but not limited to the Plans of Care and resident's risk assessments, as required by 42 C.F.R. § 1396r(b)(6)(C);
- m. By failing, as a custom and policy, to ensure that Cedarbrook was administered in a manner that enabled it to use its resources effectively and efficiently to allow patients or residents, including Ms. Liebenguth, to attain or maintain their highest practicable level of physical, mental and psycho-social wellbeing, as required by 42 C.F.R. § 483.75, 42 U.S.C. § 1396r(d)(A) and 42 U.S.C. § 1396r(d)(A) and 42 U.S.C. § 1396r(d)(1)(C);
- n. By failing, as a custom and policy, to ensure that the administrator of Cedarbrook met the standards established under 42 U.S.C. § 1396r(f)(4), as required by 42 U.S.C. § 1396r(d)(1)(C);
- o. By failing, as a custom and policy, to ensure that Cedarbrook was complying with the federal, state, local laws and accepted professional standards which apply to professionals providing services to residents, including Ms. Liebenguth, and in operating such a facility as Cedarbrook, as required by 42 U.S.C. § 1396r(d)(4)(A); and,
- p. By failing, as a custom and policy, to ensure that Cedarbrook's administrator and director of nursing properly monitored and supervised subordinate staff,

thereby failing to ensure the health and safety of residents or patients, including Ms. Liebenguth, in derogation of 42 C.F.R. § 483.75 and 42 U.S.C. § 1396r(a)(W).

75. In particular, and as further evidence that the Cedarbrook's failures were systemic and part of a custom and policy, the Facility has been cited numerous times between January 18, 2013 and present for regulatory violations directly relevant to the allegations in Plaintiff's Complaint.¹ The regulations at issue amplify the mandates of the FNHRA.

76. The aforementioned violations indicate that Cedarbrook, as well as the above plead intentional staffing shortages, as a policy and/or custom were deliberately indifferent to Ms. Liebenguth's needs, and as such, and in conjunction with other conduct described herein, deprived her of federally guaranteed and protected rights.

77. The repeated and systemic failures in the preceding Paragraph, combined with the failures identified in Paragraphs 60(a)-(p) demonstrate that Cedarbrook, as a custom and policy, failed to adhere to the above statutes and regulations and/or, in the alternative, that Cedarbrook failed to implement and follow appropriate customs and policies and/or, in the alternative, that Cedarbrook had unwritten customs and policies that did not adhere to the applicable statutes and regulations.

78. As a proximate result of Cedarbrook's actionable derogation of its regulatory and statutory responsibilities as above-described, Ms. Liebenguth was injured as previously referenced and endured pain, suffering and distress as a result of the poor care and treatment which allowed him to suffer harm as described herein.

¹ Plaintiff has not attached the aforementioned citations as an exhibit due to their size. These citations are available at the Pennsylvania Department of Health's website at: <http://sais.health.pa.gov/commonpoc/Content/PublicWeb/ltc-survey.asp?Facid=364902&PAGE=1&NAME=JOHN+J+CEDARBROOK+REGIONAL+CENTER+SCOTT+TOWNSHIP&SurveyType=H&COUNTY=ALLEGHENY>

79. As such, Ms. Liebenguth suffered and her estate is now entitled to recover the following damages, as well as an award of reasonable counsel fees, pursuant to 42 U.S.C. § 1983 and 42 U.S.C. § 1988:

- a. Pain, suffering, inconvenience, anxiety and nervousness of Ms. Liebenguth, as related to the injuries that he suffered as a result of the negligent treatment and care rendered by Defendant until the time of his death;
- b. Hospital, medical, surgical and nursing expenses incurred on Ms. Liebenguth; and,
- c. Any other damages as the Court sees fit to award.

WHEREFORE, the Plaintiff Charles Beck, Individually and as Executor of the Estate of Shirley Liebenguth, demands compensatory and consequential damages from the Defendant Lehigh County, as owner and operator of Cedarbrook Senior Care and Rehabilitation d/b/a Cedarbrook Nursing Homes, a skilled nursing facility in excess of Seventy-Five Thousand Dollars \$75,000.00, plus interest, costs of suit and attorneys' fees.

**COUNT II: DEPRIVATION OF CIVIL RIGHTS ENFORCEABLE VIA 42 U.S.C. § 1983
WRONFUL DEATH
PLAINTIFF VS. DEFENDANT ALLEGHENY COUNTY d/b/a CEDARBROOK
SENIOR CARE AND REHABILITATION d/b/a CEDARBROOK NURSING HOME**

80. All of the preceding Paragraphs of this Complaint are incorporated, as if set forth at length herein.

81. As a proximate result of Defendant's actionable derogation of its regulatory and statutory responsibilities, Plaintiff's Decedent was injured as previously referenced, and suffered pain, distress and death as a result of the poor care and treatment he received before dying on July 5, 2017.

82. As such, Plaintiff has suffered, and is entitled to recover the following damages,

as well as an award of reasonable counsel fees pursuant to 42 U.S.C. § 1983 and 42 U.S.C. § 1988:

- a. He/They have expended money for surgical, nursing and hospital expenses related to the death of Ms. Liebenguth;
- b. He/They have expended money for funeral and Estate expenses because of the death of Ms. Liebenguth;
- c. He/They have been denied, and have forever lost the services, assistance, guidance, counseling, companionship of society of Ms. Liebenguth; and,
- d. He/They have been, and will forever be, deprived of the financial support and all pecuniary benefits which they would have received from Ms. Liebenguth.

WHEREFORE, the Plaintiff, Charles Beck, Individually and as Executor of the Estate of Shirley Liebenguth, demands compensatory and consequential damages from the Defendant Allegheny County, as owner and operator of Cedar Brook Senior Center & Rehabilitation d/b/a Cedarbrook Nursing Homes, a skilled nursing facility in excess of Seventy-Five Thousand Dollars \$75,000.00, plus interest, costs of suit and attorneys' fees.

**COUNT III – NURSING HOME NEGLIGENCE
SURVIVAL ACTION PURSUANT TO 42 PA.C.S. §8302
PLAINTIFF v. DEFENDANT LEHIGH COUNTY d/b/a CEDARBROOK SENIOR
CENTER AND REHABILITATION d/b/a CEDARBROOK NURSING HOME,
DEFENDANT GOOD SHEPHERD REHABILITATION NETWORK d/b/a GS
LEHIGH a/k/a THE GOOD SHEPHERD HOME a/k/a GOOD SHEPHERD HOME
FOUNDATION, DEFENDANT LW CONSULTING, INC.
and/or DEFENDANT JOHN DOE COMPANIES (1-10)**

83. Plaintiff hereby incorporates the above referenced paragraphs of the within Complaint as if set forth more fully at length herein.

84. Plaintiff brings this Count, Survival Action, pursuant to 42 Pa.C.S. §8302, with claims for all available damages, on behalf of the Estate of Shirley Liebenguth.

85. The aforementioned incident was caused by the willful misconduct, recklessness, negligence and carelessness of Defendants, acting by and through their respective individual and/or collective employees, servants, agents, ostensible agents and/or work persons, and consisted, *inter alia*, of the following:

- a. Failing to create, adopt, implement, train, supervise and/or enforce proper and necessary systems, practices, protocols, policies, and or guidelines to ensure proper patient assessment;
- b. Failing to create, adopt, implement, train, supervise and/or enforce proper and necessary systems, practices, protocols, policies, and or guidelines to ensure proper fall protections;
- c. Failing to create, adopt, implement, train, supervise and/or enforce proper and necessary systems, practices, protocols, policies, and or guidelines to ensure proper patient transfers;
- d. Failing to create, adopt, implement, train, supervise and/or enforce proper and necessary systems, practices, protocols, policies, and or guidelines to ensure the safe completion of ADL's, including but not limited to, changing clothes, adult diapers, and/or bed sheets etc.;
- e. Failing to create, adopt, implement, train, supervise and/or enforce proper and necessary systems, practices, protocols, policies, and or guidelines to ensure proper physical assistance for clinical staff to safely complete ADL's, including but not limited to, changing clothes, adult diapers, and/or bed sheets etc.;
- f. Failing to create, adopt, implement, train, supervise and/or enforce proper and necessary systems, practices, protocols, policies, and or guidelines to ensure proper staffing;
- g. Failing to create, adopt, implement, train, supervise and/or enforce proper and necessary systems, practices, protocols, policies, and or guidelines to ensure proper staffing;
- h. Failing to create, adopt, implement, train, supervise and/or enforce proper and necessary systems, practices, protocols, policies, and or guidelines to ensure proper staffing required by patient acuity;
- i. Failing to create, adopt, implement, train, supervise and/or enforce proper and necessary systems, practices, protocols, policies, and or guidelines to ensure proper staffing required to ensure safe completion of ADL's, including but not limited to, changing clothes, adult diapers, and/or bed sheets etc.;

- j. Failing to create, adopt, implement, train, supervise and/or enforce proper and necessary systems, practices, protocols, policies, and or guidelines to ensure proper staffing required to ensure safe fall protection;
- k. Failing to create, adopt, implement, train, supervise and/or enforce proper and necessary systems, practices, protocols, policies, and or guidelines to ensure proper staffing required to ensure safe patient transfers;
- l. Causing, allowing and/or failing to prevent physical injury to Shirley Liebenguth,
- m. Failing to provide proper fall precautions,
- n. Failing to provide proper patient assessment,
- o. Failing to ensure and/or provide safe completion of ADL's, including but not limited to, changing clothes, adult diapers, and/or bed sheets etc.;
- p. Failing to ensure and/or provide safe patient transfers
- q. Failing to ensure proper and necessary staffing to prevent injury to Shirley Liebenguth, and thereby causing said injury,
- r. Failing to ensure proper and necessary training to prevent injury to Shirley Liebenguth, and thereby causing said injury,
- s. Systematic and ongoing failure to properly supervise, monitor, observe, and assess the Plaintiff's decedent's medical condition and/or physical capabilities;
- t. Failure to address poor mobility with corresponding interventions and/or nutritional supplements;
- u. failure to transfer Plaintiff's decedent to the hospital for emergent care in a timely fashion;
- v. failure to supervise medical care rendered to Plaintiff's decedent;
- w. failure to have sufficient staff to provide nursing and related services to attain or maintain the highest practicable physical, mental and psychological well-being of Plaintiff's decedent;
- x. ongoing failure to attend to Plaintiff's decedent;
- y. ongoing failure to hire and train appropriate and competent medical and nursing personnel to properly monitor, supervise and/or treat the Plaintiff's decedent's medical condition;
- z. ongoing failure to hire sufficient number of trained and competent medical and nursing personnel who knew how to meet the decedent's medical needs;
- aa. ongoing retention of and assignment of unfit, unqualified and incompetent medical and nursing personnel, who directly caused the death of Plaintiff's decedent;

- bb. ongoing failure to provide 24-hour nursing services from enough qualified medical and nursing personnel to meet the total nursing needs of Plaintiff's decedent;
- cc. negligently allowing improperly trained staff to provide basic care and monitoring of Plaintiff's decedent;
- dd. ongoing failure to provide sufficient numbers of staff to meet the Plaintiff's decedent's fundamental care needs, including adequate supervision during ADL's and/or patient transfers leading to increased fall risks, and
- ee. violation of rules, regulations and statutes as plead above and further developed during discovery.

86. As a direct and proximate result of the recklessness, negligence and carelessness of the Defendants, Plaintiff's decedent, Shirley Liebenguth, was caused to lose her life.

87. As a direct and proximate result of the recklessness, negligence and carelessness of the Defendants, Plaintiff's decedent was caused to suffer, *inter alia*, the injuries described above and contained within medical records, overwhelming and extreme physical pain and agony, mental anguish, severe emotional pain and suffering, and premature death on July 5 2017.

88. Defendants', individually and/or collectively, failure to exercise reasonable care as alleged above comprised outrageous conduct under the circumstances, manifesting a wanton and reckless disregard of the rights of Plaintiff's decedent.

89. Defendant, Lehigh County's role in the ownership and operation of Cedarbrook is a proprietary function of the County and not a governmental function. Therefore, Lehigh County is not immune from suit under the Pennsylvania Political Subdivision Tort Claims Act.

WHEREFORE, the Plaintiff, Charles Beck, Individually and as Executor of the Estate of Shirley Liebenguth, demands compensatory and consequential damages from the Defendant Allegheny County, as owner and operator of Cedar Brook Senior Center & Rehabilitation d/b/a Cedarbrook Nursing Homes, a skilled nursing facility in excess of Seventy-Five Thousand

Dollars \$75,000.00, plus interest, costs of suit and attorneys' fees.

**COUNT IV– NURSING HOME NEGLIGENCE
WRONGFUL DEATH PURSUANT TO 42 PA.C.S. §8301
PLAINTIFF v. DEFENDANT LEHIGH COUNTY d/b/a CEDARBROOK SENIOR
CENTER AND REHABILITATION d/b/a CEDARBROOK NURSING HOME,
DEFENDANT GOOD SHEPHERD REHABILITATION NETWORK d/b/a GS
LEHIGH a/k/a THE GOOD SHEPHERD HOME a/k/a GOOD SHEPHERD HOME
FOUNDATION, DEFENDANT LW CONSULTING, INC.
and/or DEFENDANT JOHN DOE COMPANIES (1-10)**

90. Plaintiff hereby incorporates the above referenced paragraphs of the within Amended Complaint as if set forth more fully at length herein.

91. Plaintiff brings this Count, a Wrongful Death Action, with all available damages, pursuant to 42 Pa.C.S. §8301.

92. The aforementioned incident was caused by the willful misconduct, actual malice, negligence and carelessness of Defendants, individually and/or collectively acting by and through its employees, servants, agents, ostensible agents and work persons, and consisted, inter alia, as plead in paragraph 85 (a) through (ee) above.

93. As a direct and proximate result of the recklessness, negligence and carelessness of the Defendants, individually and/or collectively, Plaintiff's decedent, Shirley Leibenguth was caused to lose his life.

94. As a direct and proximate result of the recklessness, negligence and carelessness of the Defendants, individually and/or collectively, resulting in the death of Plaintiff's decedent, the beneficiaries described above were caused to lose the pecuniary contributions they could have expected to receive from the decedent and were caused to lose the pecuniary value of services, financial support, society, familial relationship and comfort of the Plaintiff's decedent, his sister Shirley Leibenguth.

95. As a direct and proximate result of the recklessness, negligence and carelessness of the Defendants, individually and/or collectively, resulting in the death of Plaintiff's decedent, the beneficiaries described above have lost the support, services, society, and comfort of Plaintiff's decedent, his sister Shirley Leibenguth.

96. Defendant, Lehigh County's role in the ownership and operation of Cedarbrook is a proprietary function of the County and not a governmental function. Therefore, Lehigh County is not immune from suit under the Pennsylvania Political Subdivision Tort Claims Act.

WHEREFORE, the Plaintiff, Charles Beck, Individually and as Executor of the Estate of Shirley Liebenguth, demands compensatory and consequential damages from the Defendant Allegheny County, as owner and operator of Cedar Brook Senior Center & Rehabilitation d/b/a Cedarbrook Nursing Homes, a skilled nursing facility in excess of Seventy-Five Thousand Dollars \$75,000.00, plus interest, costs of suit and attorneys' fees.

Respectfully submitted,

McELDREW YOUNG

/s/ James J. McEldrew

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Dated: July 3, 2019

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RS-77

Security Features:

Hologram

- Multi-dimensional foil seal fused to check stock. Cannot be photocopied.

Heat Sensitive Ink

- Hold red image with fingers or breathe on it. The image will fade and reappear.

The Watermark

- Hold check to a light source to view. Cannot be photocopied.

Visible Fibers

- Visible fibers embedded in the paper.

Visible Fibers

- Fibers in paper visible under ultraviolet light.

Toner Adhesion Properties

- Chemistry in paper bonds laser toner to paper fibers with heat. Damage is visible with alteration attempts.

Chemically Sensitive Paper and Chemical Wash Detection Area

- Stains or spots may appear if chemical alteration attempts are made.

Microprinting

- Small type in check border appears as dotted line when copied.

High Resolution Warning Band

- Text alerts handler to security features.

Anti Copy Technology

- Document made with technology to prevent most copiers from creating a usable copy.

Original Document Back Pattern

- Discourages cut-and-paste alterations.